

I am very proud to recognize this American hero who so sadly perished while protecting the people of Miami, my hometown, from crime and drugs. As a Member with the honor of representing south Florida in Congress, I thank Special Agent Rios for his service to our country, and I thank his family for their sacrifice of such a brave person on behalf of all of us.

Mr. Speaker, I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

I thank Representative CURBELO.

I am pleased that this bill is being considered by the House this afternoon during National Police Week. I also appreciate Subcommittee Chairman BARLETTA's support of this measure and the support of the other members of the Committee on Transportation and Infrastructure, who also agreed to be original cosponsors of this great bill, which would name the current headquarters of the Bureau of Alcohol, Tobacco, Firearms and Explosives, or the ATF, after fallen Special Agent Ariel Rios.

As was mentioned by my colleague, Agent Rios was born in 1954. He attended the John Jay College of Criminal Justice in Manhattan, and he graduated with a degree in criminal justice in 1976. Agent Rios immediately started his career in criminal justice by working for the Department of Corrections in both Washington, D.C., and in New York City. Later, he joined the ATF in 1978 and developed a reputation as an effective law enforcement officer.

In 1982, Agent Rios was working as a member of Vice President George H. W. Bush's anti-drug task force. It was here that he was shot and killed while working undercover to unravel a drug ring in Miami, Florida.

In 1985, Congress saw fit to honor the ultimate sacrifice that Special Agent Rios made. Congress acknowledged the fact that he was the first ATF agent to die in the line of duty by naming the headquarters of the ATF building the Ariel Rios Memorial Building. This name stood for nearly 30 years until the building was renamed for President Clinton in 2012 so as to reflect the fact that the old building now housed the EPA. Unfortunately, the "Ariel Rios" name was not transferred to the new ATF headquarters.

This bill seeks to correct this omission and name the new ATF headquarters as the Ariel Rios Federal Building.

As a former police officer, I have a special appreciation for the risks that face officers each and every day. Agent Rios' death serves as a reminder that when law enforcement officers walk out the door and leave their families for the day, they are putting their lives on the line to protect our communities.

It is fitting that the House is considering this legislation during National Police Week, which is an annual event when thousands of law enforcement of-

ficers from around the world travel to Washington, D.C., to participate in events that honor those who have been killed in the line of duty. By naming the ATF headquarters after Mr. Rios, a front line law enforcement officer, we offer a very public tribute to the commemoration of the sacrifices that too many officers have made.

This legislation comes at the request of many current and former agents who would not rest until this recognition was restored to Special Agent Rios. Because of their tireless efforts, the House will vote today to restore the name of Special Agent Rios to the ATF headquarters. This is an overdue and well-deserved acknowledgment of both Special Agent Rios and of the nearly 20,000 law enforcement agents who have died in the line of duty in the United States of America.

In closing, Mr. Speaker, I am very pleased that so many on both sides of the aisle from our committee have agreed to cosponsor this legislation. I am also honored that Mr. ROGERS, the chairman of the Committee on Appropriations, supports this bill.

Former President George H. W. Bush has written Congress in support of naming this building after Special Agent Rios, as have several former Directors of the ATF and as have several organizations that represent law enforcement officers.

I am very proud that this legislation is being considered today, and I urge my colleagues to support my bipartisan bill that honors Special Agent Rios.

Mr. Speaker, I yield back the balance of my time.

□ 1615

Mr. CURBELO of Florida. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleague from Indiana (Mr. CARSON) for his leadership on this issue.

This, of course, is a simple naming bill, but it honors one of the many men and women who paid the ultimate price to keep Americans safe. This has a special place in my heart, obviously, because this took place in my community where Special Agent Rios lost his life.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. CURBELO) that the House suspend the rules and pass the bill, H.R. 4957.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CARSON of Indiana. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## KINGPIN DESIGNATION IMPROVEMENT ACT OF 2016

Mr. MARINO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4985) to amend the Foreign Narcotics Kingpin Designation Act to protect classified information in Federal court challenges.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4985

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Kingpin Designation Improvement Act of 2016".

### SEC. 2. PROTECTION OF CLASSIFIED INFORMATION IN FEDERAL COURT CHALLENGES RELATING TO DESIGNATIONS UNDER THE NARCOTICS KINGPIN DESIGNATION ACT.

Section 804 of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1903) is amended by adding at the end the following:

"(i) PROTECTION OF CLASSIFIED INFORMATION IN FEDERAL COURT CHALLENGES RELATING TO DESIGNATIONS.—In any judicial review of a determination made under this section, if the determination was based on classified information (as defined in section 1(a) of the Classified Information Procedures Act) such information may be submitted to the reviewing court ex parte and in camera. This subsection does not confer or imply any right to judicial review."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. MARINO) and the gentleman from Rhode Island (Mr. CICILLINE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

#### GENERAL LEAVE

Mr. MARINO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MARINO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on behalf of the Foreign Affairs Committee, I am pleased to call up the Kingpin Designation Improvement Act, which was favorably reported this week by the Judiciary Committee on which I also sit.

This bipartisan bill, introduced by the gentleman and gentlewoman from New York, Mr. KATKO and Miss RICE, helps to ensure that classified information used in the designation of foreign drug kingpins may be protected from public disclosure so that it cannot be used by drug lords and terrorists.

Under current law, the Treasury Department's Office of Foreign Assets Control, otherwise known as OFAC, is able to designate international drug traffickers as kingpins. These designations are published in the Federal Register, and the individuals are added to the list of specially designated nationals, which effectively blocks any U.S.-based asset and their access to the U.S.

financial system. This is a potent weapon against international drug traffickers.

Since the enactment of the Foreign Narcotics Kingpin Designation Act 16 years ago, OFAC has designated more than 1,800 individuals, all of them non-U.S. persons. These include not only high-profile drug traffickers, but also individuals who are using drug proceeds to support international terrorism.

Now, listed persons can seek removal of those sanctions by challenging them in Federal court. The tricky part arises when OFAC designations are based on classified information. We do not want to hand drug lords and terrorists the sources and methods we have for uncovering their nefarious activities. We also do not want OFAC to be deterred from making the designations our national security requires because they are worried that such classified info may be publicly disclosed.

For these reasons, other key OFAC sanctions laws, like the International Emergency Economic Powers Act, provide protections for classified information. Under that statute, OFAC can submit such information *ex parte* and in camera directly to the judge outside of public view.

H.R. 4985 just incorporates that same protection in the Narcotics Kingpin Designation Act. Also, it is worth remembering that these designations are not something done secretly in the dead of night. They result from the coordination of five Federal agencies. They are published publicly, and they are reported to 10 congressional committees, 5 in the House and 5 in the Senate, some of which receive the classified background on the designated persons.

I want to thank Foreign Affairs Chairman ROYCE, Ranking Member ENGEL, Judiciary Chairman GOODLATTE, and Ranking Member CONYERS for moving this bipartisan bill promptly to the floor.

H.R. 4985 is an important tool in our fight against high-level narcotics traffickers and deserves our unanimous support.

I reserve the balance of my time.

Mr. CICILLINE. Mr. Speaker, I rise in support of this legislation and yield myself such time as I may consume.

I would like to thank Representative KATKO and Representative RICE for introducing this bill, H.R. 4985, the Kingpin Designation Improvement Act, which helps ensure that Federal courts can review sanctions against drug kingpins without forcing law enforcement or the intelligence community to publicly release classified information.

H.R. 4985 would amend the Foreign Narcotics Kingpin Designation Act modeled on the International Emergency Economic Powers Act. The Kingpin Act allows the President to designate and apply economic sanctions against any significant foreign narcotics trafficker. This authority provides a powerful tool to combat narcotics trafficking around the world.

For example, just last month, the Treasury Department's Office of Foreign Assets Control, which administers these sanctions, targeted a Mexican drug cartel and the three brothers who run it, freezing their assets and banning U.S. persons from doing business with them.

As with the International Emergency Economic Powers Act, designations made under the Kingpin Act may be challenged in court. However, unlike IEEPA, the Kingpin Act contains no explicit authority for judges to privately review classified information. This gap in authority means it is only a matter of time until the government will be forced to choose between disclosing classified material and allowing a confirmed narcotics trafficker to avoid justice.

H.R. 4985 would address this issue by adding a new section that explicitly authorizes the government to allow judges to privately review classified information when individuals challenge their designation as kingpins under the act. This provides a simple fix to a gap in current law, bringing the Kingpin Act in line with the International Emergency Economic Powers Act and improving our ability to ensure the law functions as intended.

I thank the gentleman from Pennsylvania for its introduction, and I urge my colleagues to support the legislation.

I reserve the balance of my time.

Mr. MARINO. Mr. Speaker, I yield such time as he may to consume to the gentleman from New York (Mr. KATKO), the author of this bill.

Mr. KATKO. Mr. Speaker, let me start by thanking Judiciary Committee Chairman GOODLATTE for his efforts and his committee's efforts in shepherding this bill through the committee, where it received unanimous support.

I also want to thank my colleague across the aisle, Representative RICE. We have partnered together on many bills that have passed the House to help keep our country safe and to keep it free from drug trafficking. Both of us having a background as prosecutors on a Federal level will help us going forward.

This legislation makes important changes that strengthen the Kingpin Act and enhance the protection of classified information. The Kingpin Act has played an important role in our Nation's efforts to fight drug trafficking for nearly two decades. In the last two decades, I was heavily involved with drug trafficking as a Federal organized crime prosecutor, so I understand the importance of the statute on a firsthand basis.

The act established a process to sanction individuals involved in international narcotics trafficking. More than 1,800 individuals, all non-U.S. persons, have been designated as drug kingpins by the Treasury's Office of Foreign Assets Control under the Kingpin Act. This designation precludes

these traffickers from using the U.S. financial system and, in so doing, places a major obstacle in front of their efforts to move and use their ill-gotten gains.

Many of the individuals placed on the kingpin list are put there on the basis of classified information. The law provides a process by which these individuals can seek removal from the list in Federal court, but, unfortunately, the law currently doesn't protect classified information in such delisting cases. This opens up the possibility that some kingpins won't be sanctioned at all or will be removed from the kingpin list, despite significant evidence of their illicit activities, in order to protect classified information.

This bill simply makes it clear that the Office of Foreign Assets Control may submit classified information in defense of its kingpin designations in a nonpublic, protected setting in order to safeguard classified information. This bill will make it easier to sanction international drug kingpins who cause enormous problems both in the United States and in their home countries. It will make it harder for these criminals to carry out their dangerous and destructive drug trade.

Mr. Speaker, I am grateful for the House's consideration of this bill, alongside several other important measures, to fight back against the opioid epidemic gripping much of our Nation, and certainly in my district as well.

My district has been extremely hard-hit by this epidemic as well as a scourge of dangerous synthetic substances, which I hope to address at a later time during this Congress. Almost every family in my district has been affected by this epidemic or knows someone who has.

We need to fight back against the kingpins for profiteering off this misery. It is gratifying to see the House working together across the aisle to tackle these enormous problems, and our country will be better off for it.

Mr. CICILLINE. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from New York for the introduction of this bill. It closes an important gap in the statute, which will enhance the safety of our country and provide essential review confidentially.

I urge my colleagues to support the bill.

I yield back the balance of my time.

Mr. MARINO. Mr. Speaker, I just want to echo what my good friend from Rhode Island (Mr. CICILLINE) has stated.

As a former prosecutor, and Mr. KATKO, who was a former prosecutor, and my good friend from Rhode Island (Mr. CICILLINE), who was a mayor and had jurisdiction over law enforcement agencies, we all know what the importance of this legislation is.

I want to thank the authors of this. I want to thank the staff members who worked on this. This is going to improve the lives of not only Americans, but people around the world.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I want to thank my good friend from Virginia, Judiciary Chairman GOODLATTE, his Ranking Member, Mr. CONYERS, and the gentleman and gentlelady from New York—Mr. KATKO and Miss RICE—for their work on H.R. 4985, the Kingpin Designation Improvement Act, which deserves our support.

In the context of today's floor debate, it is important that we discuss the extensive role of Iran's primary regional proxy—Hezbollah—in the international drug trade.

Earlier this year, the U.S. Drug Enforcement Administration announced that they have, in cooperation with law enforcement agencies from 7 other nations, disrupted a global criminal enterprise Hezbollah was using to finance its participation in the Syrian conflict, as well as to plan for a future war with Israel.

Unfortunately, this is nothing new. For years, Hezbollah has had business connections with South American drug cartels, and has been using them to enter the narcotics trafficking business. In 2011 and 2013, the Department of the Treasury and other agencies designated core Hezbollah members and affiliates for engaging in international narcotics networks.

As a result, the Hezbollah International Financing Prevention Act of 2015, which I authored and passed into law in December, required specific Administration reporting on Hezbollah's international narcotics trafficking networks.

Unfortunately, once a terrorist organization enters this business, they seldom leave. Sanctions relief for Iran as a result of the Administration's flawed deal with that regime, and the resulting inflow of Iranian money to Hezbollah will not likely cause them to turn away from the lucrative drug industry. Rather, it may enable Hezbollah to double down on their efforts to finance their destructive regional activities.

For example, instead of 150,000 rockets on Israel's northern border, Hezbollah could afford to field 300,000, financed by the Iranian regime and Hezbollah's trafficking of narcotics into our communities.

With this in mind, it is important that we have robust Narcotics Kingpin Designation Act authorities in place, which this legislation ensures. I support the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MARINO) that the House suspend the rules and pass the bill, H.R. 4985.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1630

#### TRANSNATIONAL DRUG TRAFFICKING ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 32) to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 32

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Transnational Drug Trafficking Act of 2015”.

#### SEC. 2. POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.

Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 959) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) in subsection (a), by striking “It shall” and all that follows and inserting the following: “It shall be unlawful for any person to manufacture or distribute a controlled substance in schedule I or II or flunitrazepam or a listed chemical intending, knowing, or having reasonable cause to believe that such substance or chemical will be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States.

“(b) It shall be unlawful for any person to manufacture or distribute a listed chemical—

“(1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and

“(2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States.”.

#### SEC. 3. TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.

Chapter 113 of title 18, United States Code, is amended—

(1) in section 2318(b)(2), by striking “section 2320(e)” and inserting “section 2320(f)”; and

(2) in section 2320—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

“(4) traffics in a drug and knowingly uses a counterfeit mark on or in connection with such drug.”;

(B) in subsection (b)(3), in the matter preceding subparagraph (A), by striking “counterfeit drug” and inserting “drug that uses a counterfeit mark on or in connection with the drug”; and

(C) in subsection (f), by striking paragraph (6) and inserting the following:

“(6) the term ‘drug’ means a drug, as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 32, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

International drug traffickers are profiting off the misery of American

citizens, including our children. In recent years, our Nation has experienced an epidemic of opioid abuse. A significant part of that epidemic involves the trafficking of illicit heroin across our borders and into our communities and homes. Every Member in this Chamber today has a heartbreaking story about a constituent or a constituent's child who has been lost to this scourge.

The irony, Mr. Speaker, is that international drug traffickers know our drug trafficking laws as well as, if not better than, most Americans do. They know that if they simply employ a middleman to take the drugs from them and transport them into the U.S., it makes it much harder, if not impossible, for U.S. law enforcement to prosecute them under those drug trafficking laws.

Why is it more difficult, you might ask. Because under current law the government must prove that a trafficker knew the drugs were headed for the United States. Drug trafficking organizations in Colombia, Peru, Ecuador, and other Central and South American source nations sell their illicit products to Mexican traffickers who, in turn, traffic the drugs into the United States.

This makes it difficult, under current law, for Federal prosecutors to make cases against such source nation manufacturers, wholesale distributors, brokers, and transporters since direct evidence of their intent that the drugs are bound for the United States is difficult, if not impossible, to develop.

The result is that source nation malefactors who produce and distribute illegal narcotics escape prosecution under U.S. law because they feign ignorance of the drug's ultimate destination. This has happened with increasing regularity over the past several years, and it is Congress' responsibility to address this problem.

S. 32, the Transnational Drug Trafficking Act of 2015, is identical to H.R. 3380, legislation that was introduced by my Committee on the Judiciary colleagues, the gentleman from Pennsylvania (Mr. MARINO) and the gentleman from Puerto Rico (Mr. PIERLUISI).

This bill makes crucial changes to our Federal drug laws to give law enforcement additional tools to combat extraterritorial drug trafficking. It does this by amending the Controlled Substances Import and Export Act to stipulate that, when a narcotics trafficker or manufacturer has a “reasonable cause to believe” that the illegal narcotics he produces or traffics will be sent into the U.S., the U.S. may prosecute him. This amendment will permit Federal prosecutors to pursue extraterritorial drug traffickers who are not directly smuggling drugs into the United States but who facilitate it.

S. 32 also amends the Controlled Substances Import and Export Act to address the increasingly prevalent problem of trafficking in listed chemicals, which are chemicals regulated by the